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fka Perseon Corporation*

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

In re:

BSD MEDICAL CORPORATION fka
PERSEON CORPORATION,

Debtor.

Case No. 16-24435

Chapter 11

Chief Judge R. Kimball Mosier

**ORDER DENYING MOTION OF PAUL M. SCHWARTZ TO TERMINATE
AUTOMATIC STAY TO ALLOW CONTINUATION OF FEDERAL COURT
LITIGATION AGAINST NON-DEBTORS**

The matter before the Court is the *Motion of Paul M. Schwartz to Terminate Automatic Stay to Allow Continuation of Federal Court Litigation Against Non-Debtors and Memorandum in Support* [Docket No. 267] (the “Motion”)¹ for entry of an Order terminating the Debtor’s automatic stay and authorizing Paul M. Schwartz (“Schwartz”) to file an amended complaint against the Debtor and certain Insider Defendants in the Delaware Proceeding. Schwartz also filed a declaration in support of the Motion [Docket No. 270] (the “Schwartz Declaration”) and a reply in support of the Motion [Docket No. 293] (the “Reply”). The Debtor filed an opposition to the Motion [Docket No. 289] (the “Opposition”) and the declaration of Milo Steven Marsden in support of the Opposition [Docket No. 296] (the “Marsden Declaration”). The Court held a hearing on the Motion on November 22, 2016 (the “Hearing”), at which John E. Diaz appeared on behalf of Schwartz, John T. Morgan appeared on behalf of the Office of the United States Trustee, and Steven T. Waterman and Jeffrey M. Armington appeared on behalf of the Debtor.

The Court has considered the Motion, the Schwartz Declaration, the Opposition, the Marsden Declaration, the arguments made by counsel at the Hearing, and applicable law. Based thereon, the Court entered findings on the record and based thereon, and for good cause otherwise appearing;

IT IS HEREBY ORDERED THAT:

1. The Motion is **DENIED** without prejudice.

(End of Document)

¹ Capitalized terms used herein and not defined shall have the meanings ascribed to them in the Motion.